

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

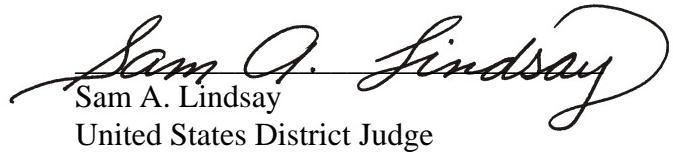
JOE FRANK CASTRO, #1352930, §
§
Plaintiff, § Civil Action No. **3:08-CV-1776-L**
v. §
§
GEORGE ZOLEY, et al., §
§
Defendants. §

ORDER

Before the court are Plaintiff's Pro Se Civil Rights Complaint ("Complaint"), filed October 6, 2008, and Defendants' Motion to Dismiss, filed November 24, 2008. Pursuant to Special Order 3-251, the complaint was referred to United States Magistrate Judge Wm. F. Sanderson, Jr. On January 27, 2009, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") was filed. No objections to the Report have been filed.

This is a *pro se* civil rights action. The magistrate judge found that Plaintiff failed to exhaust his administrative remedies. Having reviewed the motion, brief, record, and the Report in this case, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. Accordingly, the court **grants** Defendants' Motion to Dismiss and **dismisses with prejudice** Plaintiff's complaint for failure to exhaust administrative remedies.

It is so ordered this 24th day of February, 2009.



Sam A. Lindsay
United States District Judge